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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,111	03/02/2004	Hirofaka Tanaka	Q80222	1148
23373 7590 01/05/2009 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				
EXAMINER				
WILSON, LEE D				
ART UNIT		PAPER NUMBER		
3727				
MAIL DATE		DELIVERY MODE		
01/05/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/790,111

Applicant(s)

TANAKA ET AL.

Examiner

LEE D. WILSON

Art Unit

3727

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-7,9 and 10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,4-7,9 and 10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date ____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1, 4, 6-7, and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al (6782717) in view of Wedell et al (5586926).

Saito et al teach a method comprising the steps of polishing glass substrate (18), a treating liquid (col.4, lines 1-4 (colloidal particles) and col.11, lines 29-31 (shows a liquid being pure water), a tape (23), disturbance of the texture is reduce (note the pure water for cleaning the glass substrate reads on this limitation), a magnetic layer (col.7, lines 28-30), aluminosilicate (col.3, lines 6-10), and a texture being formed along a circumference direction of the magnetic disk (abstract). In regard to claims 8-9, see in particular claim 8 and then look at entire patent.

- a. Saito et al does not teach using a second tape different from the first to clean.
- b. All of the claimed elements were known in the prior art and one skilled in the art could have combined by the methods taught by Wedell et al which includes using at least two abrasive tapes and at least two cleaning tapes to accomplish polishing glass with no change in the functions and the combination

would have yielded predictable results to one of ordinary skill in the art at the time of the invention. (see col.12, line 64 to col.15, line 30 starting at texturing procedure).

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al (6782717) as applied to claims 1, 4, 6-7, and 9-10 above, and further in view of Shimada (6632547).

c. Saito et al are discussed above.

d. Saito et al teach the claimed method steps except for chemical strengthened glass substrates.

e. Shimada teaches a method comprising the steps of polishing glass substrate (col.1, 53-55 and fig.2a), a treating liquid (col.3, line 55 and col.5, 47-55 which shows a liquid having colloidal particles), a tape (col.5, 47-53), and a chemical strengthening (col.4, 45-65 and throughout the patent there are numerous other mentions.) which also for strengthening of a glass substrate.

f. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the Saito et al device by providing the chemical strengthened glass substrates step as taught by Shimada which also for strengthening of a glass substrate.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al (6782717) as applied to claims 1, 4, 6-7, and 9-10 above, and further in view of Saito et al (2003/0110803A1).

g. Saito et al are discussed above.

- h. Saito et al teach the claimed method steps except for chemical strengthened glass substrates.
- i. Saito et al (2003/0110803A1) teach a method comprising the steps of polishing glass substrate (abstract), a treating liquid (40 and a liquid having colloidal particles), a treating liquid (pure water par.98), a tape (30), and a chemical strengthening (abstract and throughout the patent there are numerous other mentions.) which also for strengthening of a glass substrate.
- j. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the Saito et al device by providing the chemical strengthened glass substrates step as taught by Saito et al (2003/0110803A1) which also for strengthening of a glass substrate.

Response to Arguments

5. **Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.**

- k. The claims have been amended and new art was applied in view of those amendments.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEE D. WILSON whose telephone number is 571-272-4499. The examiner can normally be reached on M-TH.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MONICA CARTER can be reached on 571-272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ldw

/LEE D WILSON/
Primary Examiner, Art Unit 3727

January 3 2009